

## REMARKS

### I. Summary of the Office Action

Claims 55, 57, 58, 60, 61 and 63 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Legall et al. U.S. Patent No. 6,005,565 (hereinafter "Legall"), in view of England U.S. Patent No. 6,144,991 (hereinafter "England").

### II. Summary of Telephonic Interviews

Applicants wish to thank the Examiner and his supervisor for the telephonic interviews held July 2 and July 5, 2007. During the interviews, the extent of the disclosure of Legall was discussed. As expressed in the Interview Summary for the July 5 interview, agreement was reached concerning the fact that Legall discloses maintaining logs of searches performed, "but does not explicitly disclose how the logs are displayed and how the sources can be traversed by the user." As the Examiner noted in the Interview Summary for the July 5 interview, applicants are filing this Reply to provide additional remarks concerning Legall.

### III. The Claims

Independent claims 55 and 61 are directed to a history feature in an interactive television program guide for allowing a user to access, in any order (as opposed to sequentially, such as with a back feature), previously accessed web pages, program guide data, and other resources.

Turning to the specific claim language, and as pointed out during the July 5 Interview, the claims require three indications: one to access data from a program guide database, one to access a web site, and one to access yet another resource other than the web site and guide data. In response to receiving a fourth indication, the interactive program guide provides a "history list" that includes the three resources, and allows the user "to select in any order any resource from the history list."

#### IV. Legall

Applicants respectfully submit that the current rejection should be withdrawn. The Interview Summary for the July 5, 2007, interview lists what the Examiner is relying on from Legall. Applicants will take each disclosure in turn.

The Examiner first relies on Col. 2, lines 26-37 as disclosing a "history feature" which the Examiner acknowledges is not a "history list." This portion of legally simply discloses that previously accessed web pages remain available to subsequent searches:

The user can provide input to the system 100 through a user input device 115 which may include a keyboard, mouse, remote control or other input device. **The system** 100 further has access to the Internet through Internet access 110, and also **can access previously accessed and stored web pages**. Using **this access mechanism**, which may be an Internet provider or other connection to the Internet, **the user can search for** external information including information available

on the World Wide Web and previously broadcasted Web pages. It is readily apparent that the system is not limited to Internet access and can access a variety of external or internal resources including third party databases (emphasis added).

There is no disclosure of how the user navigates between previously accessed web pages. There is also no disclosure of the user being able to access any "previously accessed" resources other than web pages.<sup>1</sup> Nor does this passage disclose any feature that allows the user to navigate between web pages and any other resource.

The Examiner next relies on Col. 2, line 64 - Col. 3, line 4:

An overview of the power search tool is illustrated in the flow diagram of FIG. 3a, the diagram of FIG. 3b and diagram of FIG. 3c. The power search tool includes query tools for specifying and selecting the filter elements used to perform the search. The user can select the information sources to be searched, such as the World Wide Web and electronic program guide (EPG) information. In the present embodiment, the World Wide Web and EPG information are accessed; however, it is readily apparent that the resources can be expanded to include other resources, and furthermore, that one, some, or all of the resources can be selected for searching.

---

<sup>1</sup> Indeed, it would not make sense that previously-accessed databases and the like would be treated as web pages are in the Legall system (i.e., stored for subsequent access).

This is simply a disclosure of allowing the user to specify what is searched, not allowing the user to navigate between accessed results.

Finally, the Examiner relies on disclosure of search logs at Col. 3, lines 4-33; the relevant portion of which is provided here:

The user can also invoke commands to perform a search, stop a search, import information for performing the search, as well as maintaining logs of searches performed for subsequent references.

\* \* \*

FIG. 3b illustrates one example of a display which includes the search tool of the present invention. The window 375 includes a topic area 340 in which the user can define the topic which is the subject of the filter. The present embodiment includes a listing 342 of previously used topics. This enables the user to easily select a prior topic.

This set explains that Legall's search engine allows the user to save and name searches (called "topics"), so that the user may subsequently re-run them. This clearly does not disclose applicants' claimed history list (which the Examiner acknowledges). It is not a list of previously-accessed web pages, program guide displays and other resources as claimed by applicants. Results may change from search to search, and may even include items that were not previously accessed, or not include items previously accessed. Regardless, the user is not using the topics list to navigate between

previously-access web pages, program guide displays and other resources as claimed.

The foregoing begs the question: How is the Examiner combining Legall with England to obtain the claimed, unique history list? Although Legall's search engine searches various sources, it simultaneously displays the various search results (e.g., program listings, web pages, etc.), dedicating a separate window to each type of search result (see FIG. 3b and Col. 3, lines 11-27). This is clear. The user of Legall does not need a history list to jump between previously-accessed web pages and guide displays and other resources, because the user can already see the different types of search results all at one time. To view previously-accessed results for a given window,<sup>2</sup> the user uses the window-specific navigational elements in each window. For example, the user may "go forward or back across multiple sites inside the HTML window" dedicated to web site results (col. 4, lines 45-48).

Thus, a *prima facie* case of obviousness has not been made. The rejections should be withdrawn.

---

<sup>2</sup> To the extent Legall allows for accessing previously-accessed results at all, the user is limited to either (a) results of the current search, or (b) first running a previously ran search by selecting a topic 340 (see Col. 3, lines 29-31).

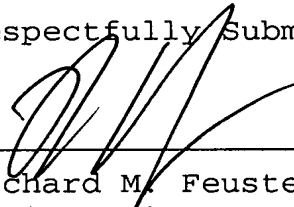
VI. Schneidewend

During the July 5 Interview, the Examiner raised Schneidewend et al. U.S. Patent 6,182,287 (which applicants also include on the Information Disclosure Statement enclosed herewith). In particular, the Examiner referenced the favorites list 325 of FIG. 3. Applicants believe the Examiner understood that the favorites list was not a history list, but agreed to provide some initial comments regardless. Applicants wish to draw the Examiner's attention to Col. 4, lines 62-63, and FIG. 7 and its related text. The Schneidewend's favorites list is plainly not a history list (at least because the elements are not included in the favorites list "because they were accessed").

VII. Conclusion

In view of the foregoing, applicants respectfully request that claims 55, 57-58, 60-61 and 63 be considered and allowed. Reconsideration and allowance of this case is respectfully requested.

Respectfully Submitted,



---

Richard M. Feustel, Jr., Esq.  
Registration No. 46,698  
Attorney for Applicants  
ROPES & GRAY LLP  
Customer No. 1473  
1211 Avenue of the Americas  
New York, New York 10036  
(212) 596-9000